

REMARKS

Claims 1, 2 and 4 -14 are currently pending in this application. By the present amendment, claims 1, 4, 5, 7, 13 and 14 have been amended and claim 3 has been canceled. No new matter has been introduced into the application by these amendments.

Claim Objections

In the Action it was noted that the dependency of claim 5 was inadvertently canceled, and it was assumed for examination purposes that claim 5 was dependent on claim 1. This has been corrected and the dependency from claim 1 has been specifically included in claim 5.

Claim Rejections – 35 U.S.C. §112

Claims 1-14 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite.

With respect to claim 1, the objectionable "and/or" language has been removed and the claim has been corrected so that inclusion of inconsistent limitations has been removed entirely. As to claim 4, this claim has been specifically amended so that it is consistent with claim 1 in requiring that only bristle bundles spaced apart by other ones of the bristle bundles located in-between are arranged with the relative rotations of 90° or 180°. This does not conflict with the requirements of claim 1 with respect to adjacent bristle bundles. With respect to claim 7, the preamble has been corrected so that it is clearly consistent with claim 1 and the additional limitations have been positively recited. With respect to claim 14, proper antecedents have now been provided.

Accordingly, withdrawal of the Section 112 rejection of claims 1, 2 and 4-14 is respectfully requested.

Claim Rejections – 35 U.S.C. §102

Claims 1-6 and 8-11 were rejected under 35 U.S.C. §102(b) as anticipated by U.S. 6,035,476 to Underwood et al. Applicant respectfully traverses this rejection.

As amended, claim 1 is directed to a toothbrush comprising an elongated, rectangular or round bristle array which is formed from individual bristle bundles or bristle tufts arranged next to each other on a brush body. At least some of the bristle bundles on a use end facing away from the brush body are at least partially beveled relative to a plane extending approximately parallel to the brush body, such that bristles of at least some of the bristle bundles extend to different lengths so that terminal surfaces arranged at the use ends of the at least some of the bristle bundles are formed as inclined surfaces (5). At least some of the bristle bundles (4) are arranged adjacent to each other along imaginary, straight or arc-shaped connecting lines. At least some of the bristle bundles of the bristle array with inclined surfaces are arranged rotated relative to each adjacent one of the bristle bundles of the bristle array having the inclined surfaces, with adjacent ones of the inclined surfaces facing rotation directions that are different from 90° and 180° relative to each other.

In contrast, Underwood et al. provides that inclined surfaces on the bristle ends rotated only 90° or 180° with respect to the adjacent bristle bundles spaced apart in the longitudinal direction, and have the identical rotation to be adjacent bristle bundles that are spaced apart in the cross direction of the toothbrush head. See in particular Figures 2, 3, 5, 6 and 8. There is no suggestion or disclosure in Underwood et al. of the at least some of the bristle bundles of the bristle array with inclined surfaces being arranged rotated relative to each adjacent one of the bristle bundles of the bristle array having the inclined surfaces, with adjacent ones of the inclined surfaces facing rotation directions that are different from 90° and 180° relative to each other. This provides better contact with the tooth surfaces and inter-dental spaces during brushing than the known art, for example as provided by Underwood et al. where some of the bristle

bundles with inclined surfaces are rotated by either 90° or 180° relative to one another but not with respect to each adjacent bristle bundle. The presently claimed arrangement is therefore neither suggested nor disclosed in the prior art and withdrawal of the Section 102 rejection of claims 1, 2, 4-6 and 8-11 is respectfully requested.

Claim Rejections – 35 U.S.C. §103

Claims 7 and 12-14 were rejected under 35 U.S.C. §103(a) as unpatentable over the combination of Underwood et al. and U.S. 6,735,804 to Carlucci et al. Carlucci et al. is cited as disclosing modification of the toothbrush head shape for circular cross-sections. Applicant respectfully traverses this rejection.

Claims 7 and 12-14 depend directly or indirectly from claim 1 and are distinguishable from Underwood et al. for the reasons noted above. With respect to Carlucci et al., this reference also fails to suggest or disclose the features recited in claim 1. Namely, there is no suggestion or disclosure of at least some of the bristle bundles of the bristle array with the inclined surfaces being arranged rotated relative to each adjacent one of the bristle bundles of the bristle array having the inclined surfaces, with adjacent ones of the inclined surfaces facing rotation directions that are different from 90° and 180°. Carlucci et al. provides only four bristle ends with inclined surfaces (51, 52, 56 and 57) which are not the adjacent bristles to one another and are also arranged only at 90° or 180° relative to one another. Thus, the combination of Underwood et al. and Carlucci et al. do not suggest each and every feature recited in claim 1, let alone the additional features recited in claims 7 and 12-14. Accordingly, withdrawal of the Section 103 rejection of these claims is respectfully requested.

Conclusion

If the Examiner believes that any additional minor formal matters need to be addressed in order to place the present application in condition for allowance, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience so that any such issues can be resolved.

In view of the foregoing amendments and remarks, applicant respectfully submits that the present application, including claims 1, 2 and 4-14, is in condition for allowance, and a Notice to that effect is respectfully requested.

Respectfully submitted,

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